UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,403	03/05/2001	Thulasiraman Jeyaraman	SUN1P806/P5418	2707

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EXAMINER
DUONG, THOMAS

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 May 2005</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6, 25-28, 35-40, and 51-53* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6, 25-28, 35-40, and 51-53* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This office action is in response to the applicants Amendment filed on May 3, 2005.

Applicant amended *claims 3, 27, and 37* and added *claims 51-53. Claims 1-6, 25-28,*

35-40, and 51-53 are presented for further consideration and examination.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

3.   *Claims 1-5, 25-27, 35-39, and 51-53* are rejected under 35 U.S.C. 102(e) as being

anticipated by Coleman et al. (US005261089A).

4.   With regard to *claims 1, 25, 35, and 51-53*, Coleman discloses,

   - *receiving a request to start the transaction;* (Coleman, col.2, lines 3-4; col.4, lines

      63-68; col.5, lines 53-56; col.74, lines 37-38)

      Coleman teaches of a method for executing an application program that first

      receives a work request from the application program.

- *storing information which indicates that the request to start the transaction was received;* (Coleman, col.41, lines 5-18; col.74, lines 38-42)

  Coleman teaches of a method for executing an application program that stores an identification and information corresponding to the work requested in the form of logging for error recovery purposes.

- *accessing a first resource manager associated with the transaction;* (Coleman, col.10, lines 23-28; col.11, lines 32-44; col.13, lines 57-64; col.19, lines 23-37; col.20, lines 17-23; col.23, lines 37-47)

  Coleman teaches of a method for executing an application program that accesses resource manager associated with the transaction and initiates the transaction as a local transaction on the resource manager.

- *initiating the transaction as a local transaction on the first resource manager without first determine whether the transaction is appropriate to be a local transaction; and* (Coleman, col.10, lines 23-28; col.11, lines 32-44; col.13, lines 57-64; col.19, lines 23-37; col.20, lines 17-23; col.23, lines 37-47)

  Coleman teaches of a method for executing an application program that accesses resource manager associated with the transaction and initiates the transaction as a local transaction on the resource manager.

- *completing the transaction.* (Coleman, col.14, line 54 – col.15, line 5; col.16, lines 21-28; col.33, lines 7-19)

  Coleman teaches of a completion step in the method for executing an application program that accesses resource manager associated with the transaction and initiates the transaction as a local transaction on the resource manager.

5.   With regard to *claims 2, 26 and 36*, Coleman discloses,

- *wherein completing the transaction includes using a local transaction mechanism of the first resource manager.* (Coleman, col.14, line 54 – col.15, line 5; col.16, lines 21-28; col.33, lines 7-19)

  Coleman teaches of a completion step in the method for executing an application program that accesses resource manager associated with the transaction and initiates the transaction as a local transaction on the resource manager.

6.   With regard to *claims 3-4, 27 and 37-38*, Coleman discloses,

- *further including:*

  - *initiating a global transaction after initiating the transaction as the local transaction; and* (Coleman, col.10, lines 23-28; col.11, lines 32-44; col.13, lines 57-64; col.19, line 23 - col.20, line 38; col.23, lines 37-47; col.31, line 48 – col.32, line 47)

    Coleman teaches of a method for executing an application program that accesses resource manager associated with the transaction and initiates the transaction as a local transaction as well as a global transaction on the resource manager.

  - *completing both the local transaction and the global transaction substantially atomically using a last resource 2-phase commit optimization.* (Coleman, col.14, line 54 – col.15, line 5; col.16, lines 21-28; col.31, line 48 – col.32, line 47; col.33, lines 7-19)

Coleman teaches of a completion step in the method for executing an

application program that includes both local and global transactions using a

last resource 2-phase commit optimization.

7.   With regard to *claims 5 and 39*, Coleman discloses,

*   *further including lazily determining whether to initiate the global transaction.*

        (Coleman, col.14, line 54 – col.15, line 5; col.16, lines 21-28; col.31, line 48 –

        col.32, line 47; col.33, lines 7-19)

        Coleman teaches of a completion step in the method for executing an application

        program that includes both local and global transactions using a last resource 2-

        phase commit optimization.

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9.   *Claims 6, 28 and 40* are rejected under 35 U.S.C. 103(a) as being unpatentable over

Coleman (US005261089A) and in view of McKeehan et al. (US006061708A).

10.   With regard to *claims 6, 28 and 40*, Coleman discloses,

        See *claims 1, 25 and 35* rejection as detailed above.

        However, Coleman does not explicitly disclose,

- *wherein the enterprise environment is a Java 2 Enterprise Environment and receiving the request to start the transaction includes receiving the request from a component associated with the Java 2 Enterprise Environment.*

McKeehan teaches,

- *wherein the enterprise environment is a Java 2 Enterprise Environment and receiving the request to start the transaction includes receiving the request from a component associated with the Java 2 Enterprise Environment.* (McKeehan, col.6, line 59 – col.7, line 9; col.9, line 55 – col.10, line 6; col.11, lines 47-67)

Coleman teaches of a mechanism for supporting a single-phase, two-phase, or mixed-phase in a distributed object oriented transaction computing environment. Furthermore, McKeehan teaches of implementing the mechanism using the well-known Java language.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of McKeehan with the teachings of Coleman to enable the processing of transaction in a distributed object oriented transaction computing environment using the well-known Java language.

Response to Arguments

11.   Applicant's arguments with respect to *claims 1, 25, and 35* have been considered but they are not persuasive.

12.   With regard to <u>*claims 1, 25, and 35*</u>, the Applicants point out that:

- the cited reference by Coleman et al. does not disclose the transaction as a local transaction without first determining whether the transaction is appropriate to be

a local transaction. Similarly, the applicant argues in the same page for claim 3 that the cited reference does not disclose the transaction to be as a global transaction.

However, the Examiner finds that the Applicants' arguments are not persuasive and maintains that Coleman disclose,

The examiner respectfully submits that the cited reference by Coleman either expressively or inherently disclose the transaction as a local transaction without first determining whether the transaction is appropriate to be a local transaction. First, figure 19 in the cited reference clearly discloses or indicates the transaction is a local transaction which processing the local request (Coleman, col. 6, lines 57-63) from client (module 52A, fig.19) to communications facility (module 59A, fig.19). Secondly, nowhere in the specification of the cited reference, the step of determining the transaction is appropriate to be a local transaction is found. Thus, it is expressively and inherently to conclude based on the specification that the transaction is a local transaction without a step of first determining whether the transaction is appropriate to be a local transaction. For *claim 3*, the transaction can be initiated either locally or globally as long as an established communication exist under the *"local and global commit scopes tailored to work units"* section starting column 19 of Coleman.

The examiner further respectfully advises the applicant to point out clearly and specifically in individual claim the lacking or missing feature(s) in the cited reference rather argues generally. Taking this suggestion into the next response would help the examiner to address all the concerns expressively.

Conclusion

13.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- U.S. Patent No. 6,243,737 to Flanagan et al. disclose a method and apparatus for providing direct transaction access to information residing on a host system.

14.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

15.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571/272-6159. The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9306 for After Final communications.

Thomas Duong (AU2145)

August 19, 2005

JASON CARDONE
PRIMARY Ex 2145